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7 **UNITED STATES DISTRICT COURT**
8 **NORTHERN DISTRICT OF CALIFORNIA**
9 **SAN FRANCISCO DIVISION**

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11 LORI GRAY, et al.,

12 Plaintiffs,

13 v.

14 GOLDEN GATE NATIONAL
15 RECREATION AREA, et al.,

16 Defendants.

17 **Case No. 3:14-cv-00511**

18 **[PROPOSED] FINDINGS OF FACT AND**
19 **CONCLUSIONS OF LAW REGARDING**
20 **PLAINTIFFS' MOTION FOR**
21 **REASONABLE ATTORNEYS' FEES AND**
22 **COSTS**

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1 Plaintiffs have applied to the Court for an order approving reasonable attorneys' fees and
2 reimbursement of litigation costs to Class Counsel in the amount of \$3,430,000. Of this total
3 amount, \$250,000 is to be designated for fees, expenses, and costs incurred in monitoring
4 Defendants' implementation of the Settlement Agreement. Defendants do not oppose the motion
5 and these are the amounts contained in the Settlement Agreement between Plaintiffs and
6 Defendants. Having read the papers submitted and carefully considered the arguments and
7 relevant legal authority, and good cause appearing, the Court GRANTS Plaintiffs' Motion for
8 Reasonable Attorneys' Fees and Costs and finds and rules as follows:

9 NOW, THEREFORE, IT IS HEREBY ORDERED:

10 1. The Court finds that Plaintiffs have submitted sufficient evidence, including time
11 summaries for work done on this matter and declarations regarding current and historic hourly
12 rates, supporting their claim for reasonable attorneys' fees and costs as agreed to by the parties in
13 the settlement. Accordingly, the Court hereby approves the settlement of attorneys' fees and
14 costs in the amount of \$3,430,000 for work performed on this matter, \$250,000 of which is to be
15 designated for fees, expenses, and costs incurred in monitoring Defendants' implementation of
16 the Settlement Agreement, as stated in Section VII of the Settlement Agreement.

17 2. In reaching this conclusion, the Court finds that Plaintiffs have submitted
18 sufficient evidence of the time and effort undertaken by Class Counsel in prosecuting and
19 settling the claims, and that this time and effort was reasonable and necessary in light of the
20 needs of the litigation. The Court also finds that Class Counsel staffed the litigation
21 appropriately given the needs of the litigation.

22 3. The Court need not determine the issue of whether Plaintiffs are entitled to
23 recover their current or historic hourly rates as the total lodestar amount negotiated and agreed to
24 by the parties is below the lodestar that would be derived under either approach. Plaintiffs have
25 submitted sufficient evidence to support the requested hourly rates under both the historic and
26 current hourly rate approach.

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1 4. In accordance with the terms of the Settlement Agreement, Defendants shall
2 submit the necessary paperwork to the Department of Treasury to effectuate the payment of such
3 attorneys' fees and costs to Class Counsel within thirty (30) business days of this Order or of
4 receipt of the information necessary to complete the electronic transfer of funds, whichever is
5 later.

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7 **IT IS SO ORDERED.**

8 DATED: July 9, 2014
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HONORABLE ELIZABETH D. LAPORTE
UNITED STATES MAGISTRATE JUDGE

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